

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

NATIONAL COAL CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	No. 3:07cv49
)	
NATIONAL UNION FIRE INSURANCE)	
COMPANY OF PITTSBURGH, P.A. &)	
AMERICAN INTERNATIONAL GROUP,)	
INC.,)	
)	
Defendants.)	
_____)	
)	
NATIONAL UNION FIRE INSURANCE)	
COMPANY OF PITTSBURGH, PA)	
)	
Counterclaimant,)	
)	
v.)	
)	
NATIONAL COAL CORPORATION,)	
)	
Counterdefendant.)	

ORDER OF COMPROMISE AND DISMISSAL

Come now all parties, having complied with the Memorandum and Order of this Court entered on August 17, 2007, and announce that all matters in controversy in this case have been compromised and fully settled to the partys' satisfaction. It is accordingly,

ORDERED, that the cause of action filed by National Coal Corporation and the Counterclaim of National Union Fire Insurance Company of Pittsburgh, P.A. are hereby dismissed with full prejudice to the refiling of same. THIS DISMISSAL SHALL ACT

AS AN ADJUDICATION ON THE MERITS OF ALL PENDING CLAIMS. Each party shall bear their own attorneys fees and costs.

ENTER this the 24th day of October, 2007.

s/ Thomas A. Varlan

Thomas A. Varlan, U. S. District Judge

APPROVED FOR ENTRY:

/s/ John B. Dupree

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